

1 BRIAN J. STRETCH (CABN 163973)  
United States Attorney

2 BARBARA J. VALLIERE (DCBN 439353)  
3 Chief, Criminal Division

4 CHRISTINA McCALL (CABN 234139)  
Assistant United States Attorney

5 1301 Clay Street, Suite 340S  
6 Oakland, California 94612  
7 Telephone: (510) 637-3680  
8 FAX: (510) 637-3724  
christina.mccall@usdoj.gov

9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,	)	No. CR 17-00024 JST
	)	
14 Plaintiff,	)	
	)	STIPULATION AND <del>PROPOSED</del> ORDER TO
15 v.	)	CONTINUE HEARING TO JANUARY 26, 2018
	)	
16 ALBERTO ACOSTA,	)	Date: November 17, 2017
	)	Time: 9:30 a.m.
17 Defendant.	)	Court: Hon. Jon S. Tigar
	)	

18  
19 The above-captioned matter is currently set on November 17, 2017 before this Court for a  
20 sentencing hearing. The parties now request that the Court continue the hearing to January 26, 2018.  
21 The continuance is requested because government counsel will be participating in a contested  
22 evidentiary hearing in United States v. Rodney Wilson, case 14-CR-00304-JD. On October 11, the  
23 Court in the Wilson case chose the morning of November 17 for the evidentiary hearing, because Mr.  
24 Wilson's counsel recently began a lengthy trial, which is "dark" on Fridays. At the sentencing hearing  
25 in Mr. Acosta's case, the parties will dispute which base offense level applies to Mr. Acosta's crime, and  
26 whether Mr. Acosta possessed a "semiautomatic firearm that is capable of accepting a large capacity  
27 magazine." The additional time should allow the parties to fully address this issue so that the Court will  
28 be prepared to determine the proper base offense level under the Sentencing Guidelines.

STIP. REQUEST TO CONTINUE HEARING  
CR 17-00024 JST

1 Mr. Acosta's attorney, Angela Hansen, and the assigned United States Probation Officer, Karen  
2 Mar, are all available on January 26, 2018.

3  
4 DATED: October 19, 2017

Respectfully submitted,

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6 BRIAN J. STRETCH  
United States Attorney

7 /s/ Christina McCall  
8 CHRISTINA McCALL  
Assistant U. S. Attorney

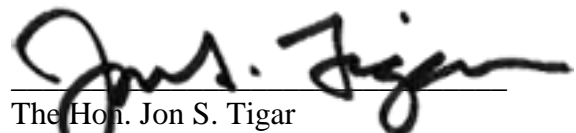
/s/ Angela M. Hansen  
ANGELA M. HANSEN  
Attorney for Alberto Acosta

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10  
11 **ORDER**

12 Based on the reasons provided in the stipulation of the parties above, the Court hereby ORDERS  
13 that the sentencing hearing is continued until January 26, 2018, at 9:30 a.m.

14 IT SO ORDERED.

15  
16 DATED: October 19, 2017

17   
18 The Hon. Jon S. Tigar  
United States District Court Judge